



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PETITION UNDER 37 CFR 1.377

REVIEW OF DECISION REFUSING TO ACCEPT AND RECORD PAYMENT  
OF A MAINTENANCE FEE FILED PRIOR TO EXPIRATION OF PATENT.

**U.S. Patent :** 6,384,173

**Serial Number:** 09/902,607

**Inventor:** O'Lenick, Jr

**Assignee:** Siltech LLC

**Filed:** Mar. 21, 2001

**Issued** May 7, 2002

**Title:** Silicone Functionalized Triclosan

**Art Unit:** 1751

Commissioner of Patents  
Maintenance Fee Division  
P.O. Box 1450  
Alexandria, Va 22313-1450

Honorable Commissioner;

The owner of U.S. Patent 6,384,173 (serial number 09/802,607) respectfully petitions a review of decision refusing to accept and record payment of a maintenance fee filed prior to expiration of patent. Specifically, petitioner requests that the maintenance fee paid be correctly applied to the above mentioned patent, and nor U.S. Patent 6,381,173.

06/27/2005 MAHNE1 00000025 09902607

01 FC:1464

130.00 DP

The petitioner was informed by the Maintenance Division that the fee was applied to the 6,381,173 application incorrectly. The fee submitted is correct and the surcharge date has yet to be reached. The Notice of Incorrect Application / Serial Number is attached.

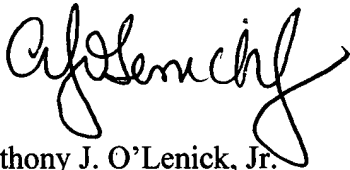
**Patent Number: 6384173**

**Application Number: 09802607**

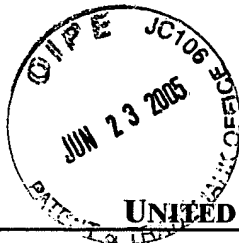
	<b>4th Year</b>	<b>8th Year</b>	<b>12th Year</b>
<b>Open Date</b>	05/09/2005	05/07/2009	05/07/2013
<b>Surcharge Date</b>	11/08/2005	11/10/2009	11/08/2013
<b>Close Date</b>	05/08/2006	05/07/2010	05/07/2014

The petitioner respectfully submits herewith a petition fee under 1.17(h). The petitioner respectfully requests the fee be refunded citing the fact the front page of the patent to which the fee was to be applied was attached to the correspondence making the misapplication of said fee beyond the control of the petitioner. Petitioner also respectfully points out the telephone number at which the owner could be reached was likewise supplied and therefore a simple telephonic call could have cleared up this matter.

Respectfully submitted



Anthony J. O'Lenick, Jr.  
Petitioner for Siltech LLC  
President Siltech LLC.  
June 18, 2005  
2170 Luke Edwards Road  
Dacula, Ga 30019  
(678) 442-0210



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

June 13, 2005

SILTEH LLC  
2170 LUKE EDWRDS RD  
DACULA GA 30019-2517

### NOTICE OF INCORRECT APPLICATION/SERIAL NUMBER:

Dear Sir/Madam:

The Patent and Trademark Office acknowledges receipt of your maintenance fee payment for patent number 6,381,173 on 06/06/05. However, your correspondence did not reflect the correct application/serial number you sent to our office.

The Code of Federal Regulations (37) states: In submitting maintenance fees and any necessary surcharges, identification of the patents for which maintenance fees are being paid must include the following:

- 1) The patent number; and
- 2) The application/serial number

Because your maintenance fee submission cited an **incorrect application/serial** number 09/802,607 we have applied the payment to the patent 6,381,173 cited in your correspondence even though it does not match the application/serial number you cited. If this is incorrect, that we have applied the payment to the wrong patent, you must petition to have the payment transferred to the appropriate patent and serial number (1.377) petition. If the patent we applied the payment to is correct, and you simply cited the wrong application/serial number, you need do nothing.

Questions pertaining to this letter may be directed to the Office of Finance, Receipt Accounting Division, Maintenance Fee Division at 703-308-5068. Please ask for the individual that has signed below.

**GLEND A HINTON**  
Maintenance Fee Division

1.17(h)